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Siegelman, Scrushy sentencing will go on this week as scheduled

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Rove

MONTGOMERY -- Sentencing for former Gov. Don Siegelman and former HealthSouth Chairman Richard Scrushy will happen as scheduled this week despite charges of a conspiracy against the two that reportedly has ties to the White House.

The accusations involving White House adviser Karl Rove and others have been lodged by Rainsville lawyer Jill Simpson, a lifelong Republican.



She said last week that she is the source of information that attorneys representing Scrushy used in an effort to remove the federal judge overseeing the sentencing.

Scrushy's attorneys have argued that U.S. District Judge Mark Fuller has a conflict of interest in the case.

Scrushy

Attorneys have been unsuccessful in having Fuller removed. As a result, the sentencing hearing begins Tuesday in Montgomery.

The 43-year-old Simpson previously released an affidavit that outlines a grand conspiracy to get Siegelman, a Democrat, by the George Bush White House. She also states the conspiracy involves the Department of Justice, a U.S. attorney's husband in Montgomery, a former Alabama Supreme Court justice, and the lawyer son of Gov. Bob Riley.

Riley stopped Siegelman's re-election bid in 2002 by the narrowest margin ever in Alabama.

The information Simpson supplied involved Fuller's investment in a major government contractor. She said that resulted in Fuller's needing to play ball with federal prosecutors who were trying to put Scrushy and Siegelman in jail so the firm could continue getting major contracts.

"I hope these result in a new trial for Mr. Scrushy," Simpson said she told attorneys.

Scrushy's attorney filed sealed information about Fuller, but it was later unsealed. Fuller remains on the



case.

"She called me and let me know she was the source of the information," said Louis Franklin, the assistant U.S. Attorney and chief prosecutor in the Scrushy-Siegelman case. "I can't subscribe a motive, but my own personal feelings were they're trying to have a reverse impact on Judge Fuller, making him more reserved in sentencing and he'd be lenient."

Siegelman

Simpson said she called Franklin because he apparently believed Scrushy and Siegelman "came up with this idea to get out of being sentenced."

"They did not come up with this; I called them and told them," Simpson said.

Three judges with the 11th U.S. Circuit Court of Appeals didn't rule on the merits of the reported conflict of interest and said Scrushy can still appeal.

Simpson is not a lawyer for Siegelman or Scrushy. What makes her freelance role eye-catching is her longtime affiliation with the Republican Party. She was an active supporter in Roy Moore's gubernatorial campaign last year.

She is now considered a thorn in the GOP's side for helping Democrats.



Siegelman calls Simpson a hero because she's taken on the system over what he says was his political prosecution orchestrated by Rove.

"Jill is a great American citizen," Siegelman said in an e-mail. "She is a whistle-blower who now has placed Karl Rove at the scene of a crime that the United States Congress is currently investigating."

Simpson

"I am optimistic that Congress will get to the bottom of this. I fully expect that Karl Rove will be at the bottom when Congress gets there."

In the beginning of her activism this year, her and her mother's home burned. The fire, which is still being investigated, may have been caused by an electrical surge, Rainsville Fire Chief Ronnie Helton said.

Simpson said she informed an attorney of the possible Fuller conflict Feb. 15. The house fire was reported Feb. 21.

So why would someone who left a law practice in Birmingham to make more money as a small town lawyer, get involved in high-level political controversies?

She said her conscience about fair play and legal ethics made her do it.

"Even though I've been a lifelong Republican, I felt I had to do what's right, morally right, and that's why I told," Simpson said. "I could have kept quiet and nobody would have known."

Simpson's conspiracy theory started as an investigation of reported dirty tricks she said she witnessed prior to a Scottsboro Ku Klux Klan rally. She said the conspiracy was designed to get Siegelman to quit his 2002 challenge of Riley's narrow win.

Simpson said the germination of the conspiracy started when Riley's son, Rob Riley, told her about

Fuller's contracting business. "I never would have known about it had it not been for Mr. Rob," she said.

In an affidavit, she said she was asked to try to catch a Democratic lawyer in Jackson County putting up Bob Riley signs after the 2002 gubernatorial election, which Siegelman was contesting. She said she took pictures but doesn't have them any more.

Simpson said she believes someone else's photographs of the signs would be used to shame Siegelman into quitting to his 2002 re-election loss protest.

Siegelman dropped his protest, but not for the reasons Simpson said, according to Siegelman.

"We were facing what Al Gore had just gone through -- this painful experience in Florida and the U.S. Supreme Court," Siegelman said of his decision to concede the race Nov. 18, 2002.

Simpson's affidavit mentions someone named Carl whose name she said was mentioned in a November 2002 telephone conference call.

She said the conference call was about the KKK trick. Also involved, she said, were Riley's on, Rob Riley, who Simpson knew from her University of Alabama undergraduate days; former Alabama Supreme Court justice and lawyer Terry Butts; and Business Council of Alabama President Bill Canary.

Canary's wife is the U.S. attorney in Montgomery who recused herself from prosecuting Siegelman and Scrushy on bribery related charges.

In the affidavit, Simpson spelled "Karl," like President Bush's adviser Karl Rove. Bill Canary reportedly said "Karl" ensured that the federal prosecution of Siegelman by "his girls" was in the works.

Simpson said "his girls" were Canary's wife, Leura Canary, and U.S. Attorney Alice Martin in Birmingham, who had unsuccessfully prosecuted Siegelman and Scrushy on unrelated issues.

It was the "Karl" angle not the KKK angle the press focused on when writing about the affidavit filed in Georgia. But it was Simpson's KKK dirty tricks angle that began the reported conspiracy.

Simpson's affidavit also claims that a serious, potentially disbaring conflict of interest involving Butts. Butts is now an attorney who Simpson said was playing both sides against the middle in the Siegelman-Riley election challenge.

Butts and Canary deny the conversation with Simpson took place.

"Absolutely not true," Butts said. "Rob did not get on a call with Jill Simpson. I and (another lawyer) would have been involved in any high-level phone call involving Simpson."

Bill Canary said he has "no recollection" of making the "my girls" comment Simpson claimed.

"Just as importantly, I've never spoken to Karl Rove or the Department of Justice about prosecuting Don Siegelman," Bill Canary said.

Rob Riley said Simpson ran against him for student government president at Alabama in 1987 but is not a friend. "After I beat her, I didn't see her again for 13 or 14 years," Rob Riley said.

"She may have called my office, but I certainly don't recall any conversation. I do not recall anything

about the issues she said are attributed to Bill Canary or Butts," Rob Riley said. "I find it shocking. If she really believes it, why didn't she come forward with it during the (2006) trial?"

Rob Riley said he believes Simpson's motive for coming forward with the allegations now is the result of a debris removal company she represents losing a contract to remove tires from the Attalla tire dump.

As a lawyer, she had represented the losing bidder for the tire contract, former Alabama Attorney General staffer Mark Bollinger of Albertville.

Last summer, Simpson warned Gov. Riley about the contract he was about to award, which reportedly kept Riley from attending a news conference to announce the largest tire cleanup in Alabama history.

Simpson, in a series of interviews, said she first developed her theory when she believed "Karl" and Gov. Riley may have a plan to get Siegelman, who again ran for governor in 2006.

"Sometime in early 2005, I stopped by Rob Riley's office in Birmingham and he tells me they are either going to re-indict or they have re-indicted Don Siegelman," Simpson said. "He said he heard it from (Gov. Riley) or Bill Canary.

"(Rob Riley) said we have a real good Republican judge who will have a good outcome," Simpson said. "That's why I did what I did. I just didn't like the way they were doing things after Roy Moore."

Rob Riley said "absolutely not" when asked if he had anything to do with Siegelman's or Scrushy's convictions or with the Justice Department or White House.

"Karl Rove has no idea who Rob Riley is," Rob Riley said.

The Siegelman investigation began under a Democratic U.S. attorney but took off after Bush appointed his prosecutors.

Simpson has hired a lawyer and said she's now a little more careful about who she talks to. But she's not repentant.

"I just finally decided sometimes in life things are not easy and sometimes you have to do what's right, even though it's very difficult," she said.

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